

SENATE RESOLUTION 132  
By Gilbert

A RESOLUTION to urge the United States Congress to establish and maintain a uniform resource locator system requiring all adult-oriented Internet sites to be listed in a specific code address to better manage the problem of uncontrolled access to obscenity, child pornography and other adult-oriented materials via the Internet.

WHEREAS, this General Assembly acknowledges the importance and emerging dependence of business, government and society on the Internet as a growing part of our system of communications and commerce; and

WHEREAS, the members of this legislative body also recognize that the Internet as a medium of free speech contains, in addition to its many salutary features, potential dangers for society and especially our youth, in that it can provide uncontrolled and instantaneous access to obscenity, child pornography and other adult-oriented materials that are harmful to youth; and

WHEREAS, in 1996 Congress attempted to place restrictions on the Internet to curb these dangers by the passage of the Communications Decency Act of 1996, which was declared unconstitutional in part by the United States Supreme Court in the case of Reno v. ACLU; and

WHEREAS, the Internet is in a developing stage and software developments and other market forces may eventually allow Internet providers to provide clean Internet services or products that will protect children from the harms of the Internet and permit users to block out

**\*200000000\***

20000000

**\*017049\***

\*01704947\*

offensive materials and services without compromising the beneficial aspects of the Internet;  
and

WHEREAS, the technology currently exists to more readily control these problems by the use of a designated top-level domain site for web sites that contain pornographic and adult-oriented materials and services which if employed will expedite and facilitate the development of clean Internet materials and services by the lawful classification of web sites; and

WHEREAS, in October of this year, the United States Department of Commerce plans to set up a private not-for-profit corporation whose directors will create five new top-level domains that will register web sites by subject type; and

WHEREAS, a federal requirement that an adult-oriented domain site be created and that all adult-oriented web sites be registered to such domain would greatly aid Internet users, parents and teachers in shielding America's youth from the harms of pornography and adult-oriented materials and services that are available and proliferating on the Internet; and

WHEREAS, the states are somewhat limited in the regulation they can provide in this area because of the federal Commerce Clause; and

WHEREAS, Congress and the Executive Branch are the appropriate governmental branches to provide leadership in this area and may lawfully act to resolve quickly this issue in a responsible manner that comports with the ideals of the First Amendment; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE-HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That this body hereby urges the United States Congress to establish and maintain a uniform resource locator system that contains a top-level domain for all Internet web sites providing pornographic or adult-oriented materials or services so as to facilitate and assist Internet users, service providers and software developers to manage the problem of uncontrolled access to obscenity, child pornography and other adult-oriented materials and services via the Internet.

BE IT FURTHER RESOLVED, That this body respectfully urges the President and Vice President of the United States and the Secretary of the Department of Commerce to use their offices and considerable influence to bring about the aims of this resolution by the means of executive order or department regulation, or the promotion of federal regulation, as they deem appropriate.

BE IT FURTHER RESOLVED, That the Clerk of the Senate deliver enrolled copies of this resolution to each member of the Tennessee delegation, to the United States Senate and the United States House of Representatives, to the Chairmen of the United States Senate Commerce, Science and Transportation Committee and the United States House Commerce Committee, and to the President and Vice President of the United States and the Secretary of the United States Department of Commerce.